



Georgia

HOUSE OF REPRESENTATIVES

Monday
March 20,
2023

DAILY REPORT

36th
Legislative
Day

House Budget & Research Office
(404) 656-5050

- The House will reconvene for its 37th Legislative Day on Tuesday, March 21 at 10:00 a.m.
- The Rules Committee will meet at 9:00 a.m.
- 10 bills / resolutions are expected to be debated on the floor.

Today on the Floor

Rules Calendar

SB 42 Human Trafficking Hotline Information; model notice requirements; increase the fine for failure to comply

Bill Summary: SB 42 revises the penalty for businesses violating the requirement that businesses post signage making people aware of the human trafficking hotline. A law enforcement officer is required to notify a business of its noncompliance, and the owner is required to comply within 30 days of receipt of the notice. Currently, the punishment is discretionary, although the bill changes it to mandatory.

Further, the fine is revised from being a maximum fine of \$500 to instead be between \$500 and \$1,000. Upon a second or subsequent offense, it is still a high and aggravated misdemeanor, but the bill clarifies that the fine is between \$1,000 and \$5,000. Currently, that fine is listed as a maximum of \$5,000 without a minimum.

Authored By: Sen. Mike Hodges (3rd)
House Judiciary Non-Civil
Committee:
Floor Vote: Yeas: 167 Nays: 0

Rule Applied: Modified-Structured
Committee 03-14-2023 Do Pass
Action:
Amendments:

SB 44 Street Gang Terrorism and Prevention Act; mandatory minimum penalties for violations; provide

Bill Summary: SB 44 clarifies that it is unlawful for a person to indirectly through another person: cause, encourage, solicit, recruit, or coerce another to become a member of a criminal street gang; to participate in a criminal street gang; or to participate in criminal gang activity. The bill defines "dangerous weapon", "firearm", "hazardous object", and "leader". Under Section II, the default penalty for violating O.C.G.A. 16-15-4 is a felony with increased imprisonment of between five and 20 years, to be served consecutively with other sentences, and with a mandatory minimum of five years.

If a person recruits others to join a criminal street gang and the violation involves a person who is under 17 years old or a person who has a disability, then that person is subject to imprisonment of between 10 years and 20 years for a first offense, which must be served consecutively and with a mandatory minimum of 10 years. Upon a second or subsequent offense, the penalty is imprisonment of between 15 years and 25 years, which must be served consecutively and with a mandatory minimum of 15 years. A mandatory minimum sentence imposed under this offense is unable to be departed from by a court.

A court can only depart from a mandatory minimum sentence if a district attorney or the attorney general agree and the convicted person provides substantial assistance in the identification, arrest, or

conviction, of other members of the criminal street gang. The individual must also meet five different requirements to be eligible, and if a judge departs from the mandatory minimum, then they must specify on the record the circumstances for the reduction. This decision is appealed by the state.

The bill adds an extra condition to when a judge can issue a bond on a person's own recognizance, or unsecured judicial release. To be eligible, the release must be noted on the release order. The person must not be charged with a bail restricted offense. The person must not have been convicted of an offense of bail jumping within the past five years. The person must not have had a bench warrant issued for their arrest based on a failure to appear within the past five years, unless the warrant was recalled or the offense was a nonserious traffic offense.

A person can contest their ineligibility for unsecured judicial release on the basis that their criminal history record is inaccurate, incomplete, or misleading. If it is contested, the prosecutor bears the burden of establishing the person's ineligibility. A judge can also issue an unsecured judicial release for pretrial release or diversion if it is noted on the release order and the person is not charged with a bail restricted offense. A judge is only required to consider the accused's criminal history record that is available at that time.

Authored By: Sen. Bo Hatchett (50th)
House Judiciary Non-Civil
Committee:
Floor Vote: Yeas: 99 Nays: 74

Rule Applied: Modified-Structured
Committee 03-14-2023 Do Pass by Committee
Action: Substitute
Amendments:

SB 59 Governor; Office of the Inspector General; establish

Bill Summary: SB 59 establishes the Office of the Inspector General, with its purpose to investigate the management and operation of agencies. It is assigned to the Office of the Governor for administrative purposes only as described in Code Section 50-4-3.

The inspector general will have jurisdiction over persons or agencies in the executive branch, as well as persons doing business with an agency or receiving state funding. The inspector general investigates complaints alleging fraud, waste, or corruption committed against or within an agency in the state, in addition to other duties assigned by the governor.

When investigating, the inspector general is authorized to issue subpoenas, enter the premises of any agency at any time without prior announcement, and employ peace officers to obtain, serve, and execute search warrants. The bill compels agencies to cooperate with any investigation, and provides a cause for discipline to any employee who knowingly fails to comply with an investigation. Upon conclusion of the investigation, the inspector general will issue a report to the Office of the Governor.

Authored By: Sen. Bo Hatchett (50th)
House Judiciary
Committee:
Floor Vote: Yeas: 171 Nays: 2

Rule Applied: Modified-Structured
Committee 03-14-2023 Do Pass
Action:
Amendments:

SB 61 Sick Leave for Care of Immediate Family Members; sunset provision relating to such sick leave requirements; repeal

Bill Summary: SB 61 repeals the sunset clause of the provision that requires employers who offer sick leave to employees to allow an employee to use that sick leave for the care of an immediate family member.

Authored By: Sen. Brian Strickland (17th)
House Industry and Labor
Committee:
Floor Vote: Yeas: 172 Nays: 1

Rule Applied: Modified-Structured
Committee 03-15-2023 Do Pass
Action:
Amendments:

SB 90 Selling and Other Trade Practices; commercial financing disclosures; provide

Bill Summary: SB 90 requires providers of certain commercial financing transactions to disclose with each transaction: the total amount of funds provided to the business in the transaction; the total

amount of funds disbursed to the business after any fees, withholdings, or third-party payments; the total amount to be paid to the provider under the transaction terms; the total dollar cost of the transaction; and a statement of whether there are any costs or discounts associated with prepayment under the transaction.

No broker will solicit or collect an advance fee from a business to provide services as a broker, nor will a broker make any false representations in offering their services or offer their services in a publication without disclosing necessary contact information. The attorney general may take action to enforce these provisions, and the bill contains civil penalties for violations of these provisions.

The bill requires a notice on each unsolicited mailing from unlicensed entities trying to purchase or purchase an option in real property from the addressee that the addressee is under no obligation to respond. The notice must be in capital letters and at least two inches from other text at the top of the mailing. The front of the envelope must have similar wording, "SOLICITATION, YOU ARE UNDER NO OBLIGATION TO OPEN OR TO RESPOND", in an effort to warn elderly consumers of their right to disregard any solicitations to sign away their property rights. Brokerage engagements are prohibited from attaching a lien, encumbrance, or other real property security interest, and deems such items void if one is attached.

Authored By: Sen. Clint Dixon (45th)
House Banks & Banking
Committee:
Floor Vote: Yeas: 163 Nays: 9

Rule Applied: Modified-Structured
Committee 03-13-2023 Do Pass by Committee
Action: Substitute
Amendments:

SB 93 Information Technology; use of certain social media platforms on state equipment; restrict

Bill Summary: SB 93 prohibits the use of social media on state-owned devices when the social media platform is owned or operated by a foreign adversary, or by a company which is domiciled in, has its headquarters in, or is organized under the laws of a foreign adversary. The prohibition also stands when a foreign adversary has substantial control over the content moderation practices of the platform or if the platform uses software or an algorithm that is controlled or monitored by a foreign adversary.

Authored By: Sen. Jason Anavitarte (31st)
House Public Safety & Homeland Security
Committee:
Floor Vote: Yeas: 174 Nays: 0

Rule Applied: Modified-Structured
Committee 03-15-2023 Do Pass by Committee
Action: Substitute
Amendments:

SB 149 "Georgia Door-to-Door Sales Act"; enact

Bill Summary: SB 149 creates the 'Georgia Door-to-Door Sales Act' to require the seller in a door-to-door sale to provide the buyer with a notice of cancellation form. A door-to-door sale is defined and does not include the sale of automobiles or large equipment at auctions or tent sales. The bill outlines requirements of the cancellation form, including a timeline when the buyer has the right to cancel the sale.

Authored By: Sen. John Albers (56th)
House Agriculture & Consumer Affairs
Committee:
Floor Vote: Yeas: 160 Nays: 1

Rule Applied: Modified-Structured
Committee 03-14-2023 Do Pass by Committee
Action: Substitute
Amendments:

SB 181 Georgia Technology Authority; authority to conduct certain fingerprint criminal background checks of all current and prospective employees; require

Bill Summary: SB 181 allows the Georgia Technology Authority (GTA) to require fingerprint criminal background checks of employees and applicants for employment who will have access to or be in proximity to IT systems that normally are not intended to provide direct access to tax documents but that may provide such access. Record checks must be made at least once every five years.

The GTA can also require fingerprint criminal background checks of contractors and subcontractors,

or applicants for those roles, who are reasonably anticipated to have access to, be in physical proximity to, or be in IT-related proximity to tax documents. Record checks must be made at least once every 10 years.

On January 1, 2025, the GTA will have the ability to conduct fingerprint criminal background checks of all current and prospective employees, regardless of the position's proximity to tax documents.

Authored By: Sen. Chuck Payne (54th)
House Judiciary Non-Civil
Committee:
Floor Vote: Yeas: 174 Nays: 0

Rule Applied: Modified-Structured
Committee 03-14-2023 Do Pass
Action:
Amendments:

SB 223 Health; reimbursement of patient incurred expenses related to participation in a cancer clinical trial; authorize

Bill Summary: SB 223 requires all sponsors of cancer clinical trials to provide potential patient-subjects with information on whether reimbursement will be available for travel and ancillary costs for patient-subjects and those who accompany the patient-subject for support.

The bill states reimbursements are provided to eliminate financial barriers to enrollment and will not be considered an undue inducement or coercive. All information provided will be reviewed by the relevant federal institution. The nature of ancillary support and guidelines on financial eligibility will be disclosed and conform to federal law.

Authored By: Sen. Ben Watson (1st)
House Health
Committee:
Floor Vote: Yeas: 170 Nays: 0

Rule Applied: Modified-Structured
Committee 03-13-2023 Do Pass
Action:
Amendments:

Postponed Until Next Legislative Day

SB 64 Birth Certificate; issuance of a copy of the original birth certificate to certain adult persons who were adopted; provide

Bill Summary: SB 64 allows an adult who had been adopted to request and receive a copy of their original Georgia birth certificate following payment of a fee. The copy will indicate it is not a certified copy. A parent, sibling, or descendant of a deceased person may receive a copy of the decedent's birth certificate under the same procedure.

Authored By: Sen. Randy Robertson (29th)

Rule Applied: Modified-Structured

SB 135 Paternity; Uniform Parentage Act of 2017; align evidentiary medical and genetic testing

Bill Summary: SB 135 clarifies that when genetic testing is required by court order, testing must be of a type reasonably relied upon by experts in that field and conducted by a laboratory accredited by either the AABB (formerly known as the American Association of Blood Banks) or an accrediting body designated by the U.S. Department of Health and Human Services.

Results of genetic testing, including the statistical likelihood of the alleged parent's parentage, are admitted into evidence without foundational testimony or other proof of accuracy, unless a party objects in writing at least 30 days prior to a hearing at which the results may be introduced into evidence.

The bill makes results of required genetic testing self-authenticating and admissible into any civil actions as long as documentation from the laboratory contains the following chain of custody information: the name and photograph of each individual whom was tested; the name of the individual who collected the test result; the place and date each result was collected; the name of the person who received the result in the laboratory; and the date the result was received.

Authored By: Sen. Kay Kirkpatrick (32nd)

Rule Applied: Modified-Structured

Local Calendar

HB 710 Schley County; board of elections and registration; create

Bill Summary: HB 710 revises the board of elections and registration for Schley County.

Authorized By:	Rep. Mike Cheokas (151st)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 101 Nays: 72	Amendments:	

HB 713 Polk County; board of elections and registration; expand board to five members

Bill Summary: HB 713 revises the board of elections and registration for Polk County.

Authorized By:	Rep. Trey Kelley (16th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 101 Nays: 72	Amendments:	

HB 714 Rossville, City of; mayor or councilperson; provide method of filling vacancies

Bill Summary: HB 714 revises the method of filling vacancies for the mayor and city council of the City of Rossville.

Authorized By:	Rep. Mike Cameron (1st)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 715 Franklin County; Board of Education; provide for compensation

Bill Summary: HB 715 revises the compensation of the board of education for Franklin County.

Authorized By:	Rep. Alan Powell (33rd)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 718 Savannah, City of; levy an excise tax

Bill Summary: HB 718 authorizes the City of Savannah to levy an excise tax.

Authorized By:	Rep. Edna Jackson (165th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 720 Randolph County; Magistrate Court; authorize assessment and collection of technology fee

Bill Summary: HB 720 authorizes a technology fee by the Magistrate Court of Randolph County.

Authorized By:	Rep. Gerald Greene (154th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 721 Cobb County; State Court; change compensation of judges

Bill Summary: HB 721 revises the compensation of the judges of the State Court of Cobb County.

Authorized By:	Rep. Teri Anulewicz (42nd)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 723 McIntosh County; Board of Education; modify compensation of chairperson and members

Bill Summary: HB 723 revises the compensation of the board of education of McIntosh County.

Authored By:	Rep. Buddy DeLoach (167th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 724 Thomson, City of; mayor and city councilmembers; provide staggered elections

Bill Summary: HB 724 provides for staggered elections for the mayor and city council of the City of Thomson.

Authored By:	Rep. Barry Fleming (125th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 725 Walton County; Board of Commissioners; powers and compensation of chairperson; revise provisions

Bill Summary: HB 725 revises the powers and compensation of the board of commissioners of Walton County.

Authored By:	Rep. Bruce Williamson (112th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 726 Walton County; Board of Commissioners; chairperson; reduce base salary and clarify compensation

Bill Summary: HB 726 revises the compensation of the board of commissioners of Walton County.

Authored By:	Rep. Bruce Williamson (112th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 165 Nays: 2	Amendments:	

HB 730 Columbia County; Board of Elections; revise provisions for nomination of certain potential board members

Bill Summary: HB 730 revises the appointment of members of the board of elections for Columbia County.

Authored By:	Rep. Jody Lott (131st)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 101 Nays: 72	Amendments:	

HB 736 Ben Hill County; board of elections and registration; appointment of board members; revise provisions

Bill Summary: HB 736 revises appointments to the board of elections and registration of Ben Hill County.

Authored By:	Rep. Noel Williams (148th)	Rule Applied:	
House	Intragovernmental Coordination -	Committee	03-16-2023 Do Pass
Committee:	Local	Action:	
Floor Vote:	Yeas: 101 Nays: 72	Amendments:	

SB 277 Screven County; board of elections and registration; create

Bill Summary: SB 277 creates the board of elections and registration for Screven County.

Authored By: Sen. Max Burns (23rd)
House Intragovernmental Coordination -
Committee: Local
Floor Vote: Yeas: 165 Nays: 2

Rule Applied:
Committee 03-16-2023 Do Pass
Action:
Amendments:

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 37th Legislative Day, Tuesday, March 21, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Tuesday, March 21, at 9:00 a.m., to set the Rules Calendar for the 38th Legislative Day.

- SB 1 State Government; automatic repealer on the prohibition on state and local governments from requiring proof of COVID vaccination for government services; remove**
Bill Summary: SB 1 removes the sunset on the prohibition that prevents state and local governments from requiring proof of COVID-19 vaccination as a condition of providing services, accessing a facility, issuing licenses or permits, performing duties, and other matters.
- | | | | |
|-------------------|--------------------------|----------------------|---------------------|
| Author(s): | Sen. Greg Dolezal (27th) | Rule Applied: | Modified-Structured |
| House | Public Health | Committee | 03-13-2023 Do Pass |
| Committee: | | Action: | |
- SB 20 "Surprise Billing Consumer Protection Act"; ensure consumer access to quality healthcare by setting adequacy standards for network plans offered by an insurer**
Bill Summary: SB 20 requires insurers to contract with and maintain a sufficient and appropriate number of participating network providers. Additionally, insurers are prohibited from denying preauthorization of services that were rendered by an in-network provider because the referring provider is out-of-network. The bill gives the insurance commissioner authority to review network adequacy.
- | | | | |
|-------------------|-----------------------------|----------------------|---------------------|
| Author(s): | Sen. Kay Kirkpatrick (32nd) | Rule Applied: | Modified-Structured |
| House | Insurance | Committee | 03-15-2023 Do Pass |
| Committee: | | Action: | |
- SB 47 Offenses Against Public Health And Morals; vaping in restricted areas is a misdemeanor punishable by fine; provide**
Bill Summary: SB 47 adds the smoking of electronic smoking or vaping devices to the Georgia Smokefree Air Act of 2005.
- | | | | |
|-------------------|------------------------------|----------------------|---------------------|
| Author(s): | Sen. Chuck Hufstetler (52nd) | Rule Applied: | Modified-Structured |
| House | Public Health | Committee | 03-15-2023 Do Pass |
| Committee: | | Action: | |
- SB 131 Permanent Guardianship; service by publication; provide**
Bill Summary: Section 1 of SB 131 requires a guardianship petition hearing to be conducted in accordance with O.C.G.A. 29-2-18.
- Section 2 adds requirements to the process of serving individuals related to a child who was adjudicated as a dependent child and any other parties who appear to the court as proper or necessary to the proceeding.
- Section 3 makes a conviction of a parent for murder or voluntary manslaughter of the other parent a mandatory basis for removing a child from the parent who was convicted.
- Section 4 allows the court to exercise its discretion when determining the custody of a child and one parent was indicted for the offense of murder or voluntary manslaughter of the other parent.
- | | | | |
|-------------------|---------------------------|----------------------|---------------------------------|
| Author(s): | Sen. Blake Tillery (19th) | Rule Applied: | Modified-Structured |
| House | Juvenile Justice | Committee | 03-15-2023 Do Pass by Committee |
| Committee: | | Action: | Substitute |

SB 148 Nonprofit Corporations; comprehensively revise, simplify, and modernize said chapter

Bill Summary: SB 148 provides comprehensive revisions to the Georgia Nonprofit Corporation Code, including updates, clarifications, and modernizations. Sections are updated to account for grammatical corrections, new definitions, changes from the Georgia Business Code for consistency, and changes for consistency with operations of Secretary of State and Attorney General's offices.

The bill revises quorum requirements of nonprofit corporations to be a majority of the voting power unless bylaws provide otherwise, and requires that the secretary of a nonprofit be a separate person from the chief executive officer. Executive directors are to be designated as officers, unless articles provide otherwise, and are subject to duties of care and good faith. Executive directors are also subject to conflict of interest rules. The minimum number of directors in non-member nonprofits is revised from one to three, and directors are afforded an express right of access to corporate information and an ability to enforce that right in court. Directors are afforded the same indemnification protections for nonprofits as are provided in the business code.

Authored By: Sen. John Kennedy (18th)
House Judiciary
Committee:

Rule Applied: Modified-Structured
Committee 03-14-2023 Do Pass
Action:

SB 155 Dangerous Instrumentalities and Practices; provisions relating to harming a law enforcement animal; revise

Bill Summary: SB 155 creates the offense of aggravated harming of a public safety animal or search and rescue animal when they know or should have known that an animal is a public safety animal or search and rescue animal and when they intentionally commit, conspire, or attempt to commit an act that causes the death of the animal or injures the animal in a manner that affects its ability to perform as a public safety animal or search and rescue animal.

The penalty for this conviction is at least two years and no more than 10 years imprisonment, a fine up to \$50,000, or both. The first two years of the sentence cannot be suspended, probated, deferred, or withheld by a sentencing court without the agreement of the prosecuting attorney and the defendant on a sentence below the mandatory minimum.

Authored By: Sen. Kay Kirkpatrick (32nd)
House Public Safety & Homeland Security
Committee:

Rule Applied: Modified-Structured
Committee 03-15-2023 Do Pass by Committee
Action: Substitute

SB 213 Zoning Procedures; local governments from preventing the continuance of lawful nonconforming use of property; prohibit

Bill Summary: SB 213 prohibits local governments from adopting or enforcing any zoning decisions or other regulations on a new manufactured or mobile home that were not imposed on the preexisting home, in specified circumstances and subject to specified exceptions.

Authored By: Sen. Max Burns (23rd)
House Governmental Affairs
Committee:

Rule Applied: Modified-Structured
Committee 03-15-2023 Do Pass
Action:

SB 218 Identification Cards; issuance of identification cards to persons completing a term of incarceration; provide

Bill Summary: SB 218 allows for the issuance of identification cards to persons who complete a term of incarceration. The bill requires the Department of Corrections to provide identifying information to the Department of Driver Services for the card.

The bill requires that when a person is released from confinement from the Department of Corrections, the department releases to the individual, with their consent, documents pertaining to the program history including whether the person completed training requested by the Board of Pardons and Paroles; whether they completed programs recommended by the Department of Corrections; whether they obtained a state-approved high school equivalency diploma or other educational degree;

and the person's institutional work record.

Authored By: Sen. Michael Rhett (33rd)
House Committee: Public Safety & Homeland Security

Rule Applied: Modified-Structured
Committee Action: 03-15-2023 Do Pass by Committee Substitute

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Energy, Utilities & Telecommunications Committee

HR 10 House Study Committee on Public Water Systems Serving Disadvantaged Communities; create

Bill Summary: HR 10 creates the House Study Committee on Public Water Systems Serving Communities in Georgia. The committee consists of five members of the House of Representatives and will be abolished on December 1, 2023.

Authored By: Rep. Mandisha Thomas (65th)
House Committee: Energy, Utilities & Telecommunications

Committee Action: 03-20-2023 Do Pass by Committee Substitute

SB 73 Telephone Services; class action suits and for damages against certain persons for violating provisions relating to telephone solicitations; provide

Bill Summary: SB 73 allows citizens on the Do Not Call List who receive more than one unauthorized telephone solicitation within any 12-month period to bring an action against the person or entity that made the solicitations and/or the person or entity the telephone solicitations were made on behalf of for injunctive relief and damages.

Authored By: Sen. Blake Tillery (19th)
House Committee: Energy, Utilities & Telecommunications

Committee Action: 03-20-2023 Do Pass by Committee Substitute

Intragovernmental Coordination - Local Committee

HB 716 Cave Spring, City of; revise and modernize charter

Bill Summary: HB 716 revises the charter of the City of Cave Spring.

Authored By: Rep. Eddie Lumsden (12th)
House Committee: Intragovernmental Coordination - Local

Committee Action: 03-20-2023 Do Pass

HB 722 Acworth, City of; adopt by reference a certain map

Bill Summary: HB 722 adopts by reference a certain map for the City of Acworth.

Authored By: Rep. Lisa Campbell (35th)
House Committee: Intragovernmental Coordination - Local

Committee Action: 03-20-2023 Do Pass

HB 727 Darien, City of; increase a residency requirement to one year

Bill Summary: HB 727 revises residency requirements of the city council members of the City of Darien.

Authored By: Rep. Buddy DeLoach (167th)
House Committee: Intragovernmental Coordination - Local

Committee Action: 03-20-2023 Do Pass

HB 731 DeKalb County; tax commissioner; election and filling of vacancies; change certain provisions

Bill Summary: HB 731 revises the election and filling vacancies for the office of tax commissioner of DeKalb County.

Authorized By: Rep. Karla Drenner (85th)
House Intragovernmental Coordination -
Committee: Local
Committee 03-20-2023 Do Pass
Action:

HB 732 Quitman County; Magistrate Court; authorize assessment and collection of technology fee
Bill Summary: HB 732 authorizes a technology fee by the magistrate court of Quitman County.

Authorized By: Rep. Gerald Greene (154th)
House Intragovernmental Coordination -
Committee: Local
Committee 03-20-2023 Do Pass
Action:

HB 733 Richmond County; letting contracts and opening bids; revise provisions
Bill Summary: HB 733 revises provisions related to contracts for Richmond County.

Authorized By: Rep. Lynn Gladney (130th)
House Intragovernmental Coordination -
Committee: Local
Committee 03-20-2023 Do Pass
Action:

HB 735 Hiawasse, City of; levy an excise tax
Bill Summary: HB 735 authorizes the City of Hiawasse to levy an excise tax.

Authorized By: Rep. Stan Gunter (8th)
House Intragovernmental Coordination -
Committee: Local
Committee 03-20-2023 Do Pass
Action:

HB 739 Cobb County; State Court; change salary of the chief deputy clerk and clerk
Bill Summary: HB 739 revises the salary of the clerk and chief deputy clerk of the state court of Cobb County.

Authorized By: Rep. Devan Seabaugh (34th)
House Intragovernmental Coordination -
Committee: Local
Committee 03-20-2023 Do Pass
Action:

HB 740 Hinesville, City of; levy an excise tax
Bill Summary: HB 740 authorizes the City of Hinesville to levy an excise tax.

Authorized By: Rep. Al Williams (168th)
House Intragovernmental Coordination -
Committee: Local
Committee 03-20-2023 Do Pass
Action:

HB 742 Clay County; Magistrate Court; authorize assessment and collection of technology fee
Bill Summary: HB 742 authorizes a technology fee by the magistrate court of Clay County.

Authorized By: Rep. Gerald Greene (154th)
House Intragovernmental Coordination -
Committee: Local
Committee 03-20-2023 Do Pass
Action:

Judiciary Non-Civil Committee

SB 60 Secondary Metals Recyclers; it shall be illegal for certain persons to purchase, possess, obtain, or sell or attempt to purchase, possess, obtain, or sell; provide

Bill Summary: Section 1-1 of SB 591 amends O.C.G.A. 10-1-350 to create new definitions for "copper wire", "registered agent", "used communications copper", and "used utility wire".

Section 1-2 of the bill amends O.C.G.A. 10-1-351 to define the term "used, detached catalytic converter". The section also makes it a crime to purchase, solicit for the purchase of, or advertise for

the purchase of a used, detached catalytic converter, or any non-ferrous metal parts of a catalytic converter, unless such person is a registered secondary metals recycler. Further, it is unlawful for any person to buy, possess, transport, or sell, a used, detached catalytic converter or any non-ferrous metal parts of a catalytic converter, unless such person is authorized to do so under O.C.G.A. 10-1-351(c) and is in possession of the required registrations and licenses. Each unlawfully possessed or obtained used, detached catalytic converter is a separate offense.

Section 1-3 requires secondary metals recyclers to maintain a record of the documentation of a cash transaction involving regulated metal property.

Under Section 1-4, secondary metals recyclers are allowed to pay in cash, but are prohibited from: paying any seller more than \$100 in cash for any transaction, limited to two per seller, per day, per registered location; and paying cash to any seller for catalytic converters or coils, used utility wire, used communications copper, copper wire, or a battery. This section does not apply to transactions between business entities, unless that transaction is related to catalytic converters.

Section 1-5 makes O.C.G.A. 10-1-358 applicable to catalytic converters, which relates to entities exempt from the Article 14, Chapter 1, of Title 10.

Section 1-6 allows a sheriff's office to: 1) charge \$200 for renewals of annual registrations of secondary metal recyclers; 2) require a valid business license; 3) require a registered agent to submit to a criminal background check and fingerprinting; 4) deny the registration or renewal if the person's registration has been revoked in another county, the information provided was false, or if the background check revealed a previous conviction of a metal theft offense more than three times in a five-year period; 5) revoke the registration of a secondary metal recycler's registered agent if the agent has been convicted of a felony in the previous five years under Title 10 ("Commerce and Trade"), Chapter 1 ("Selling and Other Trade Practices"), Article 14 ("Secondary Metals Recyclers"); 6) require secondary metals recyclers to provide a customer identification number for the current database contractor maintained by the Georgia Bureau of Investigation (GBI); and 7) require a secondary metals recycler to submit a signed and sworn statement saying the business license or registration has not been revoked during the past year, and that the agent has not been convicted of a metal theft offense in the previous year.

Section 1-7 adds a felony penalty when the regulated metal property is unlawfully obtained and results in aggregate property damage exceeding \$1,500. This section also clarifies that each unlawfully possessed or obtained used, detached catalytic converter is a separate offense.

Section 1-8 makes a used, catalytic converter that is possessed in violation of O.C.G.A. 10-1-351(d) and any vehicle used in the transportation of that catalytic converter subject to civil forfeiture.

Section 1-9 requires secondary metals recyclers to provide a statement to the GBI regarding whether their registration or business license has been revoked, suspended, or canceled in the previous year. The section also requires each recycler to submit to the GBI a receipt of each purchase of a used, catalytic converter or any nonferrous metal parts from an industrial account or secondary metal recycler. The report must include the name and address of the seller; the date, time, and place of the transaction; and the number of used, detached catalytic converters purchased.

Part II removes limitations on how payments can be made for regulated metal property by secondary metal recyclers under O.C.G.A. 10-1-355.

Part III provides the effective dates of the bill. Part III and all of Part I, except for Section 1-4, are effective January 1, 2024. Part II is effective January 1, 2026.

Authored By: Sen. Bo Hatchett (50th)
House Committee: Judiciary Non-Civil

Committee Action:

03-20-2023 Do Pass by Committee Substitute

SB 157 Professions and Businesses; preclearance process in the licensing of individuals with criminal records who make an application to or are investigated by certain licensing boards and commissions; create

Bill Summary: SB 157 provides for changes to existing licensing requirements for applicants, specifically pertaining to use of criminal history records, and also with records restrictions and petitions for the sealing of records.

Section 1-1 of SB 157 adds a definition of "covered misdemeanor" as a misdemeanor conviction in the last five years prior to the application and an offense listed in O.C.G.A. 35-3-37(j)(4)(B), which provides for family violence offenses, offenses against children, sexual offenses, and serious traffic offenses. The section also defines "conviction" and "felony".

Section 1-2 replaces the "crime of moral turpitude" standard and requires the professional licensing board to bear the burden of denying an applicant for a license due to their criminal record by the standard of clear and convincing evidence. An applicant is also entitled to a hearing before the professional licensing board per the 'Georgia Administrative Procedure Act'.

Section 1-3 makes a denial of a request for reinstatement of a revoked license and the refusal to issue a previously denied license a contested case under the 'Georgia Administrative Procedure Act'.

Section 1-4 permits license denial only if a direct relationship is found between a criminal record and the licensed occupation, and the applicant's licensure would pose a direct and substantial risk to public safety because they have not been rehabilitated to safely perform the licensed duties and responsibilities. This section clarifies what rehabilitation evidence will be considered and the disclosure of criminal records to those that are serious, recent, and relevant convictions that have not been expunged or pardoned. A list of specific crimes must always be disclosed, while others must be excluded.

Requirements related to character standards are modified to require individualized consideration of applicants, and boards are required to provide a procedure, including written findings that it uses to justify a license denial due to a criminal record. Further, the section requires boards to allow an applicant to apply for a predetermination procedure to determine whether their criminal history record will lead to a denial in the future. Boards are also required to post public information on their websites and application about the criminal record consideration, including the legal standard, disclosure rules, predetermination process, and appeal. By March 31 of each year, the occupational licensing board will be required to file with the Secretary of State's office an annual report containing required information on licensing and criminal records, including the racial and ethnic distribution of applicants whom were denied.

Section 1-5 changes a referenced definition for the term "felony".

Parts II, III, IV, and VI replace the "crime of moral turpitude" standard; require the review of an applicant's criminal history to be directly related to the profession; require a denial on criminal history records grounds to be due to a substantial risk to public safety standards; and regulate disclosure of criminal records to serious, recent, and relevant convictions, for the following boards: Georgia State Board of Accountancy, Georgia Board of Dentistry, Georgia Composite Medical Board, Georgia Real Estate Commission and Appraisers Board, Structural Pest Control Commission, Professional Standards Commission, and Georgia Board of Pharmacy. Only some of the provisions are applied to requirements of the insurance commissioner due to conflicts with federal law.

Part V applies to long-term care facilities and modifies the definition of "criminal record" to exclude certain parties who received a general pardon from the State Board of Pardons and Paroles for their convictions, starting from the date of their conviction or adjudication rather than the completion of their sentence.

Parts VII through IX revise O.C.G.A. 35-3-37 to make those who commit the crime of theft eligible for a record restriction. The bill removes the limitation that only two misdemeanor convictions, or a series of misdemeanors arising from one incident, could be requested to be restricted through a petition. It increases eligibility for who can petition the court to seal records to those who have had

records restricted pursuant to O.C.G.A. 17-10-21 (vacating of sentence for trafficking victim defendants), and an individual who was cited for a criminal offense and later had the charge dismissed, nolle prossed, or reduced to a violation of a local ordinance.

The court is required to order all records held by the clerk to be restricted and unavailable to the public if the record has been restricted through a pardon by the Board of Pardons and Paroles. The bill allows restricted information to always be available to criminal justice agencies for law enforcement or criminal investigative purposes. It removes the requirement that the prosecutor must agree with a petition to the court for a retroactive grant of first offender status. The bill does not allow a court to provide retroactive first offender status for a conviction that was used as the underlying conviction pursuant to 16-11-131 (possession of firearms by convicted felons and first offender probationers) or if the conviction was used to enhance a sentence pursuant to 17-10-7 (punishment of repeat offenders).

Part X makes the bill effective on January 1, 2024, and applies to all applications for licensure submitted on or after that date.

Authored By: Sen. Brian Strickland (17th)
House Judiciary Non-Civil
Committee:

Committee 03-20-2023 Do Pass by Committee
Action: Substitute

SB 272 Courts; supplement the duties of administrative judges; Criminal Case Data Exchange Board; reestablish

Bill Summary: SB 272 reestablishes the Criminal Case Data Exchange Board, which was previously under the Criminal Justice Coordinating Council and later the Council of Superior Court Clerks to a board under the Judicial Council and its Administrative Office of the Courts. The board continues to have 19 members, and meetings can be called to order by the chairperson of the board, the designee to the board from the Judicial Council, the chief justice of the Supreme Court of Georgia, or the governor.

The board must fulfill multiple duties, including participation in the review and improvement of the state's criminal case data exchange and management systems; make recommendations for the improvement of data sharing for the benefit of the public, employers, and law enforcement; provide regular advice and counsel to the Judicial Council of Georgia; regularly review and update uniform standards; and prepare a report by October 1 of each year detailing the board's progress, which will be sent to multiple parties, including the chairs of the Senate Judiciary Committee, the House Judiciary Committee, House Judiciary Non-Civil Committee, the Senate Appropriations Committee, and the House Appropriations Committee, by October 10 of each year.

The board will be required to conduct a review with experts in the field of criminal justice on the feasibility of a system for tracking and analyzing criminal history data related to recidivism, criminal plea agreements, and immunity defenses. The feasibility study will include a review of a system to track charges pertaining to human trafficking, and whether those charges resulted in convictions or resulted in pleas of lesser or related charges. This review will be required to be completed by December 1, 2024, at which point the board will deliver it to the required parties in the legislative, executive, and judicial branches.

Authored By: Sen. John Kennedy (18th)
House Judiciary Non-Civil
Committee:

Committee 03-20-2023 Do Pass by Committee
Action: Substitute

Juvenile Justice Committee

SB 133 Juvenile Code; a uniform process to assume custody of children as a result of disposition orders; create

Bill Summary: SB 133 clarifies procedures for implementing existing law within the Juvenile Code. Section 1 stipulates that in a child in need of services (CHINS) proceeding, a juvenile court must comply with the law related to a dual designation of a child.

Section 2 provides a framework for CHINS proceedings in which the juvenile court must hear or consider certain information, and comply with Title 15, Chapter 11, Article 3, prior to placing a child in the custody of the Division of Family and Children Services (DFCS) on a nonemergency basis or in the absence of exceptional circumstances based on evidence provided at a disposition hearing.

Once a child has been ordered into the custody of DFCS, the juvenile court must conduct a preliminary protective hearing within 72 hours after the placement. All parties to the CHINS case must provide copies of medical, psychological, and educational assessments, and reports of the child or the child's parent or guardian to DFCS within 72 hours after the ordering of custody.

Section 3 stipulates that in a disposition of a dependent child, a juvenile court must comply with the law related to a dual designation of a child.

Section 4 provides a framework for child delinquency proceedings in which the juvenile court must hear or consider certain information, and comply with Title 15, Chapter 11, Article 3, prior to placing a child in the custody of DFCS on a nonemergency basis or in the absence of exceptional circumstances based on evidence provided at a disposition hearing. Once a child has been ordered into the custody of DFCS, the juvenile court must conduct a preliminary protective hearing within 72 hours after the placement. All parties to the CHINS case must provide copies of medical, psychological, and educational assessments, and reports of the child or the child's parent or guardian to DFCS within 72 hours after the ordering of custody.

Authored By:	Sen. Brian Strickland (17th)	Committee	03-20-2023 Do Pass
House	Juvenile Justice	Action:	
Committee:			

SB 216 Children and Youth Services; respite care for foster parents for longer periods of time pursuant to circumstances; authorize

Bill Summary: SB 216 amends references to "babysitter" in O.C.G.A. 49-5-8.1, related to short-term babysitting of a child in foster care, to instead say "respite care", which the bill defines as occasional or short-term relief for a caregiver by a person or entity.

Authored By:	Sen. Matt Brass (28th)	Committee	03-20-2023 Do Pass
House	Juvenile Justice	Action:	
Committee:			

Public Health Committee

SB 106 "Healthy Mothers, Healthy Babies Act"; enact

Bill Summary: SB 106 creates a Medicaid program to provide remote maternal health clinical services to women with high-risk pregnancies through the Department of Public Health's pilot home visiting program.

Authored By:	Sen. Larry Walker III (20th)	Committee	03-20-2023 Do Pass by Committee
House	Public Health	Action:	Substitute
Committee:			

Technology and Infrastructure Innovation Committee

SB 146 Georgia Public Service Commission; regulation and taxation of the provision of certain electricity used as a motor fuel in electric vehicles; provide

Bill Summary: SB 146 amends the Code defining terms related to electric vehicles and adding language regarding the sale of electricity at electric vehicle charging stations, making it similar to the sale of gasoline. It gives regulatory authority over electric vehicle charging stations to the Department of Agriculture and clarifies that the supply of electricity by an electric utility to premises that are

electric vehicle charging stations will be considered a sale at retail. The bill provides gallon-equivalent rates for electricity and hydrogen used as motor fuel and specifies that vehicles using these methods as a form of motor fuel are not exempt to public motor fuel and road taxes.

The provision of electric vehicle charging services will not violate the 'Georgia Territorial Electric Service Act', as long as it occurs on the same property as the charging station. The bill states that an electric utility may not provide, own, operate, or maintain any publicly available electric vehicle charging station, other than community charging equipment unless the station is provided through a separate legal entity that is not regulated by the Georgia Public Service Commission.

All electric vehicle charging providers will register with the commissioner before operating any electric vehicle charging station and do so annually thereafter. Certificates of registration and conformity will be prominently displayed at each charging station. All electric vehicle charging stations will be capable of accurately measuring and displaying upon the station or on a digital network the amount of electricity delivered to each electric vehicle on a per kilowatt-hour basis. Such stations will be further equipped with meters to record the total kilowatt-hours dispensed.

The commissioner of the Department of Agriculture may hire charging station inspectors and investigators, and is expected to enforce rules and regulations upon those employed. If a station is found to give inaccurate readings and the charging provider fails to make necessary adjustments, the station will be deemed inoperable until reapproved by the department. Those found to provide accurate readings will be marked with a seal by an authorized inspector. The department is given the power to implement rules necessary to carry out inspections in the manner provided in this Code. The bill makes it unlawful to tamper with an inspector-issued seal and outlines penalties for further violations.

Authored By: Sen. Steve Gooch (51st)
House Technology and Infrastructure
Committee: Innovation

Committee
Action: 03-20-2023 Do Pass by Committee
Substitute

Committee Meeting Schedule

*This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.
To keep up with the latest schedule, please visit www.legis.ga.gov to view all upcoming events.*

Tuesday - March 21, 2023

8:00 AM	CANCELED HIGHER EDUCATION COMMITTEE (House)	506 CLOB	VIDEO Agenda
8:00 AM	EDUCATION COMMITTEE (House)	406 CLOB	VIDEO Agenda
8:00 AM	MOTOR VEHICLES COMMITTEE (House)	606 CLOB	VIDEO Agenda
8:00 AM	AGRICULTURE & CONSUMER AFFAIRS COMMITTEE (House)	415 CLOB	VIDEO Agenda
9:00 AM	RULES COMMITTEE (House)	341 CAP	VIDEO Agenda
10:00 AM	FLOOR SESSION (LD 37) (House)	House Chamber	VIDEO
1:00 PM	PUBLIC HEALTH COMMITTEE (House)	606 CLOB	VIDEO Agenda
1:00 PM	Judiciary Non-Civil Hong Subcommittee (House)	506 CLOB	VIDEO Agenda
1:00 PM	GOVERNMENTAL AFFAIRS COMMITTEE (House)	406 CLOB	VIDEO Agenda
1:30 PM	JUDICIARY COMMITTEE (House)	132 CAP	VIDEO Agenda
2:00 PM	HEALTH COMMITTEE (House)	403 CAP	VIDEO Agenda
2:00 PM	RETIREMENT COMMITTEE (House)	406 CLOB	VIDEO Agenda
2:00 PM	DEFENSE AND VETERANS AFFAIRS COMMITTEE (House)	515 CLOB	VIDEO Agenda
3:00 PM	JUVENILE JUSTICE COMMITTEE (House)	606 CLOB	VIDEO Agenda
3:00 PM	Public Safety and Homeland Security Dean Greene Subcommittee (House)	506 CLOB	VIDEO Agenda
4:00 PM	WAYS & MEANS COMMITTEE (House)	406 CLOB	VIDEO